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1/13/2005  
Atty. Dkt. No. 355908-3053

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anthony E. BOLTON et al.  
  
Title: APOPTOTIC ENTITIES FOR USE  
IN TREATMENT OF  
NEURODEGENERATIVE AND  
OTHER NEUROLOGICAL  
DISORDERS

Appl. No.: 09/871,146  
  
Filing Date: 5/25/2001  
  
Examiner: O. Chernyshev  
  
Art Unit: 1646

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Rene Campos

(Printed Name)

[Signature]  
(Signature)

January 5, 2005  
(Date of Deposit)

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- [ X ] Information Disclosure Statement, 1449, and one cited article;
- [ X ] Return Receipt Postcard
- [ X ] Check No. 851251 in the amount of \$180.00 is enclosed for the Information Disclosure Statement.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Jan. 5, 2005

By Stephen Todd

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1103  
Facsimile: (650) 856-3710

Stephen Todd  
Attorney for Applicant  
Registration No. 47,139



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

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antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

### **FEE**

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit  
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Respectfully submitted,

Date January 5, 2005

FOLEY & LARDNER LLP  
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Telephone: (650) 251-1155  
Facsimile: (650) 856-3710

By Stephen Todd

Stephen Todd  
Attorney for Applicant  
Registration No. 47,139

Form PTO-1449  
(MODIFIED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

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SERIAL NO.

09/871,146

APPLICANT

Anthony E. BOLTON et al.

FILING DATE

5/25/2001

GROUP ART UNIT

1646

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Shivji, et al., The Effect of VAS972 on Allergic Contact Hypersensitivity, Journal of Cutaneous Medicine and Surgery, Volume 4, Number 3, 2000, pp. 132-138.

EXAMINER

DATE CONSIDERED

\* **EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.